

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**ORDER ACCEPTING BOTH FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, entered July 31, 2012, and August 14, 2012, for plain error, I am of the opinion that both of the Findings and Conclusions of the Magistrate Judge are correct and they are both accepted as the Findings and Conclusions of the Court.

For the reasons stated in the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, entered on July 31, 2012, and August 14, 2012, the Court hereby **DENIES** with prejudice the movant's motion to reduce his sentence, filed July 19, 2012, and movant's second motion to reduce his sentence, filed August 7, 2012, pursuant to 18 U.S.C. § 3582(c)(2) (doc. 306).

In the event that the movant files a notice of appeal, he is informed that he must pay the \$455.00 appellate filing fee or submit a motion to proceed *in forma pauperis* that is accompanied by a properly signed certificate of inmate trust account.

SIGNED this 20th day of September, 2012.

Barbara M. G. Lynn
BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS